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WTB SEEKS COMMENT ON E911 PHASE II WAIVER REQUEST FILED BY SPRINT SPECTRUM L.P.

(CC DOCKET 94-102) /

Comments Due: August 22, 2001

Reply Comments Due: September 1, 2001

The Federal Communications Commission's (Commission's) rules require wireless carriers to begin deploying a capability to identify the precise location of wireless 911 calls beginning on October 1, 2001, provided that certain conditions are met.¹ This capability is called Phase II Automatic Location Identification (ALI). The Phase II rules establish deployment schedules and set accuracy and reliability requirements for both handset-based and network-based ALI technologies.²

On July 30, 2001, Sprint Spectrum L.P. d/b/a Sprint PCS (Sprint) provided additional information on its efforts to meet Phase II rules and requested a waiver of those rules to permit it to deploy an assisted Global Positioning Satellite (GPS) solution for its CDMA network.³ Sprint states that by October 1, 2001, it will have taken a number of concrete actions to implement Phase II services, but it will not be able to comply fully with Phase II rules or complete a simultaneous, national roll out of E911 location systems by October 1, 2001.

Sprint requests a waiver of the Phase II requirement that carriers' network infrastructure must be capable of supporting Phase II service as early as October 1, 2001.⁴ It currently operates Lucent, Nortel and Motorola switches, and Nortel switches are currently replacing Motorola switches. Sprint indicates that at least one Lucent market should be Phase II compliant by October 1, 2001, and it plans to begin deploying additional Lucent markets on or shortly after the October 1 deadline. However, Sprint estimates that it will need four-to-five months to complete the Phase II conversion of Lucent MSC switching software. This period covers conversion only and not the full deployment of Phase II services.⁵ In addition, Sprint states that Nortel has been unable to make available the necessary Phase II modifications for commercial deployment by the October 1, 2001 deadline. Sprint plans to begin to test Nortel switch software modifications later this year so that the Nortel switches can begin to be converted to Phase II by the end of First Quarter 2002. Sprint states that given the number of markets involved in its national network, Sprint will also need a period of at least four-to-five

¹ See 47 C.F.R. §§20.18(e)-(j).

² 47 C.F.R. §§20.18(f)-(h).

³ See Sprint PCS Supplemental Phase II Implementation Report and Request for Temporary and Limited Waiver, CC Docket No. 94-102 (filed July 30, 2001) (*Sprint Request*).

⁴ See 47 C.F.R. §20.18 (g)(2); *Sprint Request* at 4.

⁵ See *Sprint Request*, Appendix A (providing a tentative launch schedule for its Lucent markets and proposing implementation start dates for different markets/PSAP requests that span from October 1, 2001 through October 15, 2002).

months to phase in Nortel's switching software. Sprint indicates that once the software is available and testing has begun it will provide the Commission with a more detailed launch schedule for Nortel markets.

With respect to Phase II handset activation requirements, Sprint states that it expects to begin selling location-capable handsets by the Commission's October 1, 2001 deadline, with 100% of all new handsets sold being GPS compatible by December 31, 2002. However, Sprint indicates that it is unlikely that it will meet the interim activation levels specified in Phase II rules (25% of all new handsets by December 31, 2001 and 50% of all new handsets by June 30, 2002) due to the conversion of the Sprint network to 3G technology. Accordingly, Sprint seeks a waiver of Commission Rule 20.18 (g)(1).

Sprint states that the volume of PSAP requests that must be processed and the custom network designs that must be installed, make it unlikely that Sprint can engage in a simultaneous rollout of Phase II services based on PSAP requests received to date. Sprint seeks a temporary waiver that permits Sprint to prioritize Phase II implementation. Sprint claims that it is difficult at present to estimate when it will be in full compliance with Phase II rules, and that a firm schedule cannot be determined until it has an opportunity to test Nortel's Phase II software and the status of ALI database upgrades is known. Sprint recommends that beginning on November 1, 2001, and continuing until it is in full compliance, Sprint submit quarterly reports to the Commission describing the status of its Phase II implementation.

The Wireless Telecommunications Bureau seeks comment on this waiver request. Parties interested in filing comments may submit their comments on or before **August 22, 2001** and reply comments on or before **September 1, 2001**.

This is a "permit but disclose" proceeding pursuant to § 1.1206 of the Commission's Rules.⁶ Presentations to or from Commission decision-making personnel are permissible provided that *ex parte* presentations are disclosed pursuant to 47 C.F.R. § 1.1206(b).

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the docket number of this proceeding. Parties that choose to file by paper must file an original and four copies of each filing with the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554, and a diskette copy with the Commission's copy contractor International Transcription Service, Inc. (ITS), Room CY-B400, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554. The filing should include the docket number of this proceeding: CC Docket No. 94-102. Filings and comments are also available for inspection and copying during regular business hours in the Reference Information Center, Federal Communications Commission, Court Yard Level, Room CY-A257, 445 12th Street, S.W., Washington, D.C. or may be purchased from ITS.

For further information concerning this proceeding, contact Steve Rangel, Policy Division, Wireless Telecommunications Bureau, at (202) 418-1310.

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⁶ 47 C.F.R. § 1.1206.